


**The Bronx
Defenders**

**Redefining
public
defense.**


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

February 7, 2023

By ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Application **GRANTED**. A three-part inquiry determines whether to seal a document. *See Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006). For the reasons stated herein, and in the letter filed at Dkt. No. 13, the Court finds that Petitioner's safety and privacy interest overcome the presumption, if any, of public access to such document. The letter, filed at Dkt. No. 13, shall remain under seal.

By **February 17, 2023**, Petitioner shall file a letter regarding the status of his case. If the letter includes sensitive information of the nature described herein, the letter shall be filed under seal.

The Clerk of Court is respectfully directed to maintain the seal on Dkt. No. 13, with access limited to the parties listed in the appendix. The Clerk of Court is respectfully directed to close the motion at Dkt. No. 12.

Re: *Cabrera Galdamez v. Joyce et al.*, 22-cv-09847 (LGS)

Dated: February 8, 2023
New York, New York

Dear Judge Schofield:

I represent Petitioner Mr. William Cabrera Galdamez in the above-referenced matter. We respectfully move the Court to grant leave to file a letter under seal, which contains sensitive information related to his case status, fear-based claims for immigration relief, and personal safety in immigration detention. Counsel for Respondents does not oppose the motion.

There is good cause to grant leave to file this letter under seal. Without disclosing details of the information provided in the letter, it contains updates regarding his case status that implicate his personal safety in detention and his fear-based claims for relief from removal. Public disclosure of this information could subject him to harm in detention and/or further persecution in the future should he be removed. Immigration regulations also support the view that information related to asylum claims should be protected from public disclosure. *See* 8 C.F.R. § 208.6; *see also Kharis v. Sessions*, No. 18-CV-04800-JST, 2018 WL 5809432, at *2–3 (N.D. Cal. Nov. 6, 2018).

Thank you for your consideration of this submission.

Respectfully submitted,

/s/ Nhu-Y Ngo

Nhu-Y Ngo

THE BRONX DEFENDERS

360 East 161st Street

Bronx, New York 10451

APPENDIX: All parties and attorneys of record should have access to the sealed letter. We only wish to remove the letter from public view.

Exhibit A
Letter from Petitioner's Counsel
(forthcoming under seal)